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Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

DAVID BELL and GARY ERLINGER,)
Individually and on Behalf of All Others)
Similarly Situated,)
)
Plaintiffs,)
)
v.)
)
DAIMLERCHRYSLER CORP.,)
)
Defendant.)

CASE NO. C 05 2971 CW
CLASS ACTION
STIPULATION AND CONSENT ORDER

**STIPULATION AND CONSENT ORDER
CASE NO. C 05 2971 CW**

IT IS HEREBY STIPULATED AND AGREED by and between the above referenced parties through their undersigned attorneys as follows:

1. Plaintiffs shall serve and file an Amended Complaint in the within action on or before January 10, 2006.

2. Thereafter, Defendants shall answer or otherwise move in response to the Amended Complaint by February 24, 2006.

3. Plaintiffs shall have thirty (30) days from the date said motion is filed to respond thereto, and Defendants shall have until fourteen (14) days prior to the hearing date on said portion to file a Reply brief.

4. In the event the Defendants move to dismiss, the Motion to Dismiss shall be heard on April 7, 2006, or as soon thereafter as the matter may be heard. The Case Management Conference shall also be continued from January 20, 2006 to April 7, 2006, or as soon thereafter as is convenient for this Court.

5. Initial Disclosures required by FRCP 26(a)(1) shall be exchanged by the parties on or before May 8, 2006.

ATTESTATION OF TIMOTHY J. BURKE

I, Timothy J. Burke, hereby attest that the contents of this document are acceptable to all persons required to sign it. I further attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/s/) within this efiled document.

Timothy J. Burke
STULL, STULL & BRODY

Dated: January 10, 2006

By: _____ / s /
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Attorneys for Defendant

SO ORDERED. The pending motion to dismiss is denied as moot.

Dated: 1/12/06


Honorable Claudia Wilken